

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
RENZER BELL, :
: Plaintiff, :
: : 20 Civ. 1588 (LGS)
: -against- :
: :
CHARLES GRAY, :
: Defendant. :
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on July 21, 2020, the Court extended the deadline to file proof of service from July 23, 2020 to August 20, 2020;

WHEREAS, on August 17, 2020, Plaintiff requested a copy of the Summons so that he could provide it to a third party to complete service;

WHEREAS, on August 18, 2020, Plaintiff filed a motion requesting leave to serve Defendant via email and another extension of time to file proof of service;

WHEREAS, on August 19, 2020, Plaintiff was mailed a copy of the Summons;

WHEREAS, Plaintiff's motion provides only a purported email address for Defendant (charlie@adultadjacent.com) without any supporting documentation that the Defendant checks or uses that email;

WHEREAS, “[s]ervice by email alone comports with due process where a plaintiff demonstrates that the email is likely to reach the defendant. *F.T.C. v. PCCare247 Inc.*, 2013 WL841037 at *4 (S.D.N.Y. 2013); it is hereby

ORDERED that the deadline for Plaintiff to file proof of service is hereby extended from **August 20, 2020 to September 3, 2020**. It is further

ORDERED that Plaintiff's motion for leave to effect service by email is DENIED

without prejudice to re-file provided that Plaintiff includes additional support that Defendant uses the email charlie@adultadjacent.com and is likely to be reached there.

The Clerk of Court is respectfully directed to close the motion at Dkt. 21. The Clerk of court is respectfully directed to mail a copy of this order to pro se Plaintiff.

Dated: August 20, 2020

New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE